

**Amendment to the Drawings**

The attached Replacement Sheet of drawings includes changes to FIG. 2. In FIG. 2, the second occurrence of the reference numeral "92" has been changed to "98", wherein reference numeral 98 is representative of the second control input, as discussed in the specification on page 15, line 5.

Attachment: Replacement Sheet  
Annotated Sheet Showing Changes

## REMARKS

By this amendment, Figure 2, the abstract, the specification and claims 1, 2, 10-13, 15 and 19 have been amended. New claim 20 has been added. Claims 1-20 remain in the application. Support for the amendments to the claims can be found the specification and drawings. No new matter has been added. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, and allowance of the application, as amended, is respectfully requested.

### The Drawings

The drawings stand objected to as failing to comply with 37 CFR 1.84(p)(4) because the reference numeral "92" had been used to designate both the "control circuit" and "an input to the control circuit". In FIG. 2, the second occurrence of the reference numeral "92" has been changed to "98", wherein reference numeral 98 is representative of the second control input, as discussed in the specification on page 15, line 5. Accordingly, the objection of the drawings has now been overcome. Withdrawal of the objection is respectfully requested.

### The Specification

The specification and abstract were checked to determine the presence of possible minor errors. The abstract was amended to place the same in better form. In addition, one minor typographical error was noted and corrected as indicated herein above with respect to the amendment to the specification.

### Objection to The Claims

Claim 19 was objected to under 37 C.F.R. 1.75(c) as being in improper form. Applicant respectfully traverses this objection for at least the following reason. Claim 19 has been amended as indicated herein above to no longer depend from any other multiple dependent claim. In addition, Claim 11 has been amended to no longer depend

from any other multiple dependent claim. Accordingly, the objection to claim 19 has now been overcome. Withdrawal of the objection is respectfully requested.

**Rejection under 35 U.S.C. §112**

Claims 1-18 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 11 have been amended to remove any indefiniteness and to more clearly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 2-10 and 12-18, which depend from claims 1 and 11, are now no longer indefinite. Accordingly, the 35 U.S.C. § 112 rejection of claims 1-18 has now been overcome. Withdrawal of the rejection is respectfully requested.

**Rejection under 35 U.S.C. §102**

Claim 1 recites a method for driving a gas discharge lamp (1), wherein the lamp is supplied with a commutating DC current having a duty cycle (D) and an average current intensity ( $I_{AV}$ ) at a certain electrical output power, the method comprising:

setting the duty cycle (D) from a range of duty cycles in response to an input signal, wherein the lamp is controlled to operate at the duty cycle as set; and

varying (i) the average current intensity ( $I_{AV}$ ) as a function of the set duty cycle and (ii) the electrical output power as a function of the set duty cycle and a predefined relationship between duty cycle and power setting stored in a memory for a given color temperature range in order to vary the color temperature of the lamp.

Support for the amendments to claim 1 (as well as for claim 11 and 19) can be found in the specification at least on page 4, lines 1-9; page 13, lines 9-25; page 14, lines 16-25

and FIGs. 2, 3C and 4C. New claim 20 is supported by the specification and claims, as originally filed.

Claims 1, 2-4, 7, 11, 12, 14, 16 and 17 were rejected under 35 U.S.C. § 102(b) as being anticipated by **Derra et al.** (US 5,262,701).

The PTO provides in MPEP § 2131 that

*"[t]o anticipate a claim, the reference must teach every element of the claim...."*

Therefore, with respect to claims 1 and 11, to sustain this rejection the **Derra et al.** patent must contain all of the above claimed elements of the respective claims. However, contrary to the examiner's position that all elements are disclosed in the **Derra et al.** reference, the latter reference does not disclose a method for driving a gas discharge lamp comprising "... varying (i) the average current intensity ( $I_{AV}$ ) as a function of the set duty cycle and [varying] (ii) the electrical output power as a function of [(ii)(a)] the set duty cycle and [(ii)(b)] a predefined relationship between [(ii)(b)(1)] duty cycle and [(ii)(b)(2)] power setting stored in a memory for a given color temperature range ... to vary the color temperature of the lamp" as is recited in claim 1 (emphasis added). One example of a predefined relationship of claim 1 is given in the specification as originally filed, on page 13, lines 22-24. Therefore, the rejection is not supported by the **Derra et al.** reference and should be withdrawn.

In contrast, **Derra et al.** discloses a circuit arrangement for operating a high pressure sodium lamp, and more particularly, to a dimming circuit in which voltage pulses H have a controllable duty cycle D (Derra et al. Abstract and Col. 2, line 56). Derra et al. further discloses a "linear relation between pulse height and duty cycle of the voltage pulses H supplied to the lamp" (Derra et al., Col. 3, lines 7-8). However, the **Derra et al.** reference does not disclose a method for driving a gas discharge lamp comprising "... varying (i) the average current intensity ( $I_{AV}$ ) as a function of the set duty

cycle *and* [varying] (ii) the *electrical output power as a function of* [(ii)(a)] the *set* duty cycle *and* [(ii)(b)] a *predefined relationship* between [(ii)(b)(1)] duty cycle and [(ii)(b)(2)] power setting stored in a memory for a given color temperature range ... to vary the color temperature of the lamp” as is recited in claim 1 of the present application.

Accordingly, claim 1 is allowable and an early formal notice thereof is requested. Dependent claims 2-4 and 7 depend from and further limit independent claim 1 and therefore are allowable as well.

Claim 11 has been amended herein to include limitations similar to those of claim 1. Accordingly, claim 11 is believed allowable for at least the same reasons as presented herein above with respect to overcoming the rejection of claim 1, and an early formal notice thereof is requested. Dependent claims 12, 14, 16 and 17 depend from and further limit independent claim 11 and therefore are allowable as well.

### **Rejection under 35 U.S.C. §103**

Claims 13 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Derra et al.** (US 5,262,701). With respect to claims 13 and 15, Applicant respectfully traverses this rejection for at least the following reason. Dependent claims 13 and 15 depend from and further limit independent claim 11 and therefore is allowable as well. The 35 U.S.C. § 103(a) rejection thereof has now been overcome.

Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over **Derra et al.** (US 5,262,701) in view of **Kelly et al.** (US 6,369,518). Applicant respectfully traverses this rejection for at least the following reason. Dependent claim 18 depends from and further limits independent claim 11 and therefore is allowable as well. The 35 U.S.C. § 103(a) rejection thereof has now been overcome.

### **Conclusion**

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or a continuation application.

It is clear from all of the foregoing that independent claims 1, 11 and 19 are in condition for allowance. Dependent claims 2-10 and 12-18 depend from and further limit independent claims 1 and 11, respectively, and therefore are allowable as well. New claim 20 depends from claim 1 and is believed in condition for allowance.

The amendments herein are fully supported by the original specification and drawings; therefore, no new matter is introduced. An early formal notice of allowance of claims 1-20 is requested.

Respectfully submitted,

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Attachments

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